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chemicals. *Held*, that illuminating gas for street lighting did not come within the meaning and intendment of the statute, though scientifically it might be a chemical. Also held that the right to exemption from taxation must be clearly and indisputably shown.

Fraudulent Conveyance—Referential Bill of Sale—Validity.—Goetter et al. v. Smith et al., 16 So. Rep. 534. If the rights of third parties are not involved, the parties to a contract, before or after consummation, may either rescind or modify it, and their mutual agreement is sufficient consideration so to do; contracts *contra bonos mores* form no exception, and when the rescission is express, fairly and openly made, no disability of contracting can be imputed to the parties because of their former contractual relations, and such a rescission is a valid consideration for a subsequent sale.

Grounds for Divorce—Neglect—Custody of Children.—Irwin v. Irwin, 28 S. W. Rep. 664 (Ky.). Where a wife is subjected to mental sufferings brought on by the extreme neglect of a husband bordering on cruelty, and from the effects of these sufferings her physical health is greatly impaired, she is entitled to a divorce from bed and board, and the court will give the custody of the children to that parent who is able to best care for their needs.

Injury to Passenger by Fellow Passengers—Liability of Carrier.—Gulf, C. & S. F. Ry. Co. v. Shields, 28 S. W. Rep. 709 (Tex.). This was a case where a passenger was injured by a drunken person getting aboard the train with a jug of alcohol, which was spilled in the car in which he and other passengers were riding, and which spread over a considerable portion of the car floor, and finally became ignited, from which the plaintiff suffered personal injuries. *Held*, that a railroad company in protecting one passenger from the acts of a fellow passenger is only required to use that degree of care which a very prudent person would use under like circumstances.

Lands of Cemetery Corporation—Condemnation for Street Purposes.—Woodmere Cemetery v. Roulo, 62 N. W. Rep. 1010 (Mich.). It is a constitutional exercise of the right of eminent domain for city authorities to open a street through a cemetery under special permission from the legislature, although such associations are exempted from condemnation proceedings under the general law, and such permission applies only to the cemetery in question.